

Marginal reference  
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~~1000~~ Memorandum A.

JARVIS BAKER & HOWLAND ISLANDS

7075/1/25  
No. 1.

In July, 1935, H.M. Ambassador at Washington stated that, according to press reports, the United States Post Office Department, which was interested in the establishment of an air mail service between the United States and Australia, had sent or were sending parties to investigate the following islands:-

Johnston  
Palmyra  
~~Holland~~ Howland  
Baker  
Jarvis

The Foreign Office were advised that -

Johnston Island (and Swain's island) clearly belonged to the United States;

Palmyra was not claimed by His Majesty's Government, but might be res nullius. (According to information supplied later by the Admiralty, this island has been in the possession of the United States since 1898.)

Baker and Howland: both His Majesty's Government and the United States had a shadowy claim - that of His Majesty's Government having rather more substance - but it ~~is~~ possible that both <sup>islands</sup> were res nullius and that either His Majesty's Government or the United States could create a title by formal act of annexation.

Jarvis Island: the British claim seemed reasonably certain in that the island had been discovered by a British subject (Captain Brown in the "Eliza Frances") in 1821; had been declared to be under British protection by

Commander Nicolls



Commander Nicolls of H.M.S. "Cormorant" in 1889 and had been leased by His Majesty's Government to the Pacific Phosphate Company Limited until <sup>the surrender of the</sup> ~~1920 when the licence~~ <sup>by</sup> ~~was~~ <sup>indefinite dated 12<sup>th</sup> May 1921.</sup> ~~surrendered.~~ On the other hand, the United States flag had flown over the island in 1880, and as the island has been left unoccupied for a long time, it might be difficult to oppose the United States claim if they were to reoccupy the island.

The Foreign Office asked whether it was thought that Imperial interests rendered it desirable that any claim should be made on behalf of the Crown to any of these islands whose status appeared doubtful.

The Colonial Office saw no reason why such a claim should be made.

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The Air Ministry considered that the <sup>possession</sup> ~~position~~ of air bases in the Central Pacific would be of undoubted strategic value in connection with trade protection and the safeguarding of sea communications. The increase in the effective range of aircraft would tend to increase the value of such bases as Baker, <sup>or</sup> Holland, Jarvis and Palmyra Islands might provide. They lay almost on the direct route between Brisbane and Honolulu, and assuming that they were suitable as seaplane bases, they would prove of importance in the event of the development of an air-route between Canada and Australia. The key to this route would be, however, in the Hawaiian group. The Air

Ministry



Ministry therefore considered that Imperial interests demanded the formulation of a claim to the islands of disputed ownership in advance of the <sup>consolidation of</sup> United States ~~claim~~.

The Admiralty also thought it desirable that such a claim should be made.

In October, 1935, H.M. Ambassador in Washington reported by telegraph that, according to the Press, the United States had annexed Baker, <sup>H</sup>olland and Jarvis Islands and that they would probably be placed within the administration of Hawaii. He asked whether His Majesty's Government wished him to make any official inquiries. In reply, H.M. Ambassador was told that the British claim was not thought to be strong and that, as the United States had annexed the islands, it was not desired to dispute their ownership. It was hoped, however, that it would be possible to mention the matter in connection with the <sup>conversations</sup> ~~communications~~ which were due to take place shortly in connection with reciprocal flying rights in the Pacific. The British representatives were to take the line that, though His Majesty's Government considered that they had some claims to ownership of Baker, <sup>H</sup>olland and Jarvis Islands, they were willing in the interest of friendly relations in the Pacific to abandon these claims; and ~~that they~~ hoped that the United States would afford reasonable landing facilities in these islands if required. These reciprocal rights were, however, already secured to the

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the extent that the terms on which the New Zealand Government had given permission for Pan-American Airways to extend their service to New Zealand provided that - "If any British company desiring to operate over the Pacific is hereafter refused by the United States Government reciprocal rights of landing in United States territory, the New Zealand Government may terminate the contract <sup>with</sup> ~~on~~ one year's notice." It was not therefore desired to convey the impression that our abandonment of claims was conditional upon further assurances in this respect, but rather to create a favourable atmosphere at the opening of the discussions.

In the event it was not found possible to mention the matter at the discussions, and in January, 1936, the Foreign Office asked whether it was thought desirable that H.M. Ambassador should make a démarche to the United States Government on the lines of that which it had originally been proposed should be made by British representatives at the Air Conference. The Foreign Office did not attach much importance to the question as it was unlikely that any great advantage would result. The Air Ministry considered that a démarche should be made. The Admiralty agreed, pointing out that, apart from the potential advantage of such a démarche in the event of <sup>the</sup> ~~establis~~ <sup>ment of</sup> a British air service which could

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could make use of these islands, silence might be interpreted in some quarters as a sign of weakness which would lead others, e.g., Japan, to annex other Pacific islands to which our claims might be equally in doubt. The Colonial Office agreed. *In the meantime*

*it was considered that Baker & Howland should continue to be shown as British, & members of the Phoenix Group, in the Colonial Office list.*

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At the 23rd meeting of the Interdepartmental Committee on International Air Communications in March, 1936, certain other islands were mentioned as in danger of United States attention, besides those referred to above -

Wake Island, which clearly belonged to the United States, having been annexed by them in 1900. <sup>*Kingman*</sup>  
Kingman Reef which was thought to be ownerless and sometimes a wash. (The Admiralty believe that <sup>*Kingman*</sup> ~~Kingman~~ Reef was annexed by the United States in 1898. The reef, together with Wake and Johnston islands, was placed under the authority of the United States Navy Department in January, 1935.)

Christmas Island which was undoubtedly British.

Canton and Hull Islands (Phoenix group) which <sup>*were*</sup> ~~was~~ also thought to be clearly British.

Other islands whose nationality, if any, was doubtful. *5/11*

The Committee felt some doubt as to the wisdom of making any communication to the Americans until it had been ascertained which islands would be useful to us and could

*The Inter-Departmental Committee ~~was~~ was informed that the Inter-Departmental meeting had recommended that the U.K. should be prepared definitely to renounce any claim to Jarvis, Baker & Howland Islands; and that the Americans should be told that the U.K. had learnt from Press reports that they <sup>*(Americans were contemplating)*</sup> annexed <sup>*(Christmas Island)*</sup> other islands and that they hoped that these reports were unfounded in view of the undoubted existence of British sovereignty.*



could be claimed as British. They considered that the Admiralty should at the first opportunity send a vessel with an aircraft on board to investigate the suitability as air bases of likely islands in the Pacific.

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In May, 1936, the Government of Australia suggested that Jarvis, Baker and <sup>or</sup>Holland Islands were of definite value in the establishment of a trans-Pacific seaplane service and that steps should be taken to clarify ownership and <sup>secure</sup>~~claim~~ some or all of them for the United Kingdom. Nothing could be done, however, as on the 13th May, 1936, the United States <sup>President</sup> had, by executive order, placed <sup>the three islands</sup> ~~Baker, Holland and Jarvis Islands~~ under the control of the Secretary of the Interior for administrative purposes. The Australian Government was informed that it was considered undesirable to challenge the United States action <sup>"at the present time"</sup> and that it was proposed to vindicate the British claim to ownership of various other islands, with particular reference to their suitability as air bases for a trans-Pacific service.

(Summary)

The above correspondence disposes of Jarvis, Baker and <sup>or</sup>Holland Islands which have now become American by occupation. There remains the question ~~as to~~ whether a démarche is to be made to the United States Government on account of their annexation. In this connection the Acting High Commissioner <sup>for the Western Pacific</sup> reported semi-officially in

September



September last that he had been told by several people that the Americans were exceedingly nervous as to the attitude Great Britain would adopt when they began to acquire these islands. He had also heard that the States hoped to acquire such other unoccupied islands as might appeal to them.

There is also the question of removing the names of Howland and Baker Islands from the Colonial Office List.

The question of American interest in Christmas Island is discussed further in Memorandum 319.

C. O.

Dec, 1936.

R. D. A.  
17.12.36